

SEP 01 2006

Stanford Research Park ■ 3300 Hillview Avenue ■ Palo Alto, CA 94304-1203 ■ 650.849.6600 ■ Fax 650.849.6666  
www.finnegan.com**FACSIMILE TRANSMITTAL****TO**

Name: Mail StopAmendment  
Company: USPTO Centralized Facsimile Office  
Fax Number: (571) 273-8300  
Subject: Preliminary amendment

Date: September 1, 2006  
Phone Number:  
Total Pages (including cover): 13  
Confirmation Copy to Follow: No

**FROM**

Name: Chris T. Mizumoto  
Phone Number: 650-849-6600

Verified by: E. Nesbitt  
Our File No.: 10084-0004.00000

**MESSAGE****CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8**

I hereby certify that the attached papers,

1. Transmittal Letter (2 pages)
  2. Preliminary amendment (8 pages)
  3. Fee Transmittal in duplicate (2 pages)
- are being transmitted by facsimile to the U.S. Patent and Trademark Office on the above-identified date.

A handwritten signature in cursive script, reading 'Elizabeth Nesbitt', written over a horizontal line.

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SEP-01-2006 FRI 02:10 PM FINNEGAN HENDERSON

FAX NO. 6508496666 **RECEIVED** P. 02

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**SEP 01 2006**

**PATENT**

Customer No. 22,852

Attorney Docket No. 10084-0004.00000

**FP-039PCT-US**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application  
of:

Toshio DOI et al. et al.

Serial No.:

10/571,511

Filed:

3/10/2006

Title:

METHOD AND KIT FOR DETECTING PROLIFERATIVE DISEASES  
CAUSING SCLEROSIS, PREVENTIVE AND/OR REMEDY FOR  
PROLIFERATIVE DISEASES CAUSING SCLEROSIS AND  
METHOD AND KIT FOR IDENTIFYING SUBSTANCE  
EFFICACIOUS IN PREVENTING AND/OR TREATING  
PROLIFERATIVE DISEASES CAUSING SCLEROSIS

Examiner:

Not Yet Assigned

Art Unit:

Confirmation No.:

Docket:

10084-0004.00000

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**TRANSMITTAL LETTER**

Enclosed herewith for filing in connection with the above-identified patent application are the following:

- 1) Preliminary amendment
- 2) Fee transmittal

Please charge any additional fees which may be due, or credit any overpayment, to Deposit Account Number 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: 9/1/06 By:



Chris T. Mizumoto  
Reg. No. 42,899

SEP 01 2006

PATENT  
Customer No. 22,852  
Attorney Docket No. 10084-0004.00000  
Client Ref. FP-039PCT-US

## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being sent via facsimile on the date shown, to facsimile number 571-273-8300 located at the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By:

*Elizabeth Nesbitt*

Date:

*September 1, 2006*

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Toshio DOI et al.

Application No.: 10/571,511

Filed: 3/10/2006

For: METHOD AND KIT FOR  
DETECTING PROLIFERATIVE  
DISEASES CAUSING  
SCLEROSIS, PREVENTIVE  
AND/OR REMEDY FOR  
PROLIFERATIVE DISEASES  
CAUSING SCLEROSIS AND  
METHOD AND KIT FOR  
IDENTIFYING SUBSTANCE  
EFFICACIOUS IN PREVENTING  
AND/OR TREATING  
PROLIFERATIVE DISEASES  
CAUSING SCLEROSIS)  
)  
) Group Art Unit:  
)  
) Examiner:  
)  
)  
) Confirmation No.:  
)Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**PRELIMINARY AMENDMENT**Prior to examining the above-referenced application, please amend the  
above-identified application as follows:**Amendments to the Claims** are reflected in the listing of claims in this paper.**Remarks/Arguments** follow the amendment sections of this paper.

PTO/SB/17 (07-08)

Approved for use through 01/31/2007. OMB 0551-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number

Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL**  
**For FY 2005**☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1300.00

**Complete If Known**

Application Number	10/571,511
Filing Date	3/10/2006
First Named Inventor	Toshio DOI
Examiner Name	Not Yet Assigned
Art Unit	
Attorney Docket No.	10084-0004.00000

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SEP 01 2006

**METHOD OF PAYMENT (check all that apply)**

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 06-0916 Deposit Account Name: Finnegan Henderson

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.18 and 1.17 ☒ Credit any overpayments

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**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues) Fee (\$) Small Entity Fee (\$)

Each independent claim over 3 (including Reissues) 50 25

Multiple dependent claims 200 100

360 180

**Total Claims** 24 - 20 or HP = 4 x 50 = 300

**Extra Claims** 4 x 50 = 300

**Indep. Claims** 22 - 3 or HP = 5 x 200 = 1000

**Extra Claims** 5 x 200 = 1000

HP = highest number of total claims paid for, if greater than 20.  
HP = highest number of independent claims paid for, if greater than 3.**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

**Total Sheets** 22 - 100 = 12 / 50 = 1 (round up to a whole number) x 250 = 250

**Extra Sheets** 12 x 250 = 3000

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): \_\_\_\_\_

**SUBMITTED BY**

Signature	Registration No. (Attorney/Agent) 42,899	Telephone 650 849-6664
Name (Print/Type) Chris T. Mizumoto	Customer No. 221852	Date 9/1/06

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.